

Chapter 2.50

EMERGENCY SERVICE AND DISASTER AGENCY

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2.50.010 Created — Purpose — Membership. A. There is created the local municipal emergency service and disaster agency (hereinafter referred to as “ESDA”) organization, to prevent, minimize, repair and alleviate injury or damage resulting from disasters caused by fire, flood, earthquake, extended periods of severe and inclement weather, or other manmade or natural causes, in accordance with the Illinois Emergency Service and Disaster Act.

B. The ESDA shall consist of the coordinator and additional members to be selected by the coordinator. (Ord. 81-15 § 1, 1980).

2.50.020 Coordinator — Appointment — Powers and duties — Vacancy filling. A. The coordinator of the municipal ESDA shall be appointed by the mayor, by and with the advice and consent of the city council, and shall serve until removed by the mayor.

B. The coordinator shall have direct responsibility for the organization, administration, training and operation of the ESDA, subject to the direction and control of the mayor as provided by statute.

C. In the event of the absence, resignation, death or inability to serve of the coordinator, the mayor or any person designated by him, shall be and act as coordinator until a new appointment is made as provided in this chapter. (Ord. 81-15 § 2, 1980).

2.50.030 Functions and duties within and outside the municipality. The municipal ESDA shall perform such ESDA functions within the municipality as shall be prescribed in and by the state ESDA plan, and programs prepared by the Governor and such orders, rules and regulations as may be promulgated by the Governor and, in addition, shall perform such duties outside the corporate limits as may be required pursuant to any mutual aid agreement with any other municipality or quasi-municipality entered into as

provided by the Illinois Emergency Service and Disaster Agency Act. (Ord. 81-15 § 3, 1980).

2.50.040 Service as mobile support team.

A. All or any members of the municipal ESDA organization may be designated as members of a mobile support team created by the State Coordinator as provided by law.

B. The leader of such mobile support team shall be designated by the coordinator of the municipal ESDA organization.

C. Any member of a mobile support team who is a municipal employee or officer while serving on call to duty by the Governor, shall receive the compensation and have the powers, duties, rights and immunities incident to such employment or office. Any such member who is not a paid officer or employee of the municipality, while so serving, shall receive from the state reasonable compensation as provided by law. (Ord. 81-15 § 4, 1980).

2.50.050 Agreements with other municipalities. The coordinator of the ESDA organization may negotiate mutual aid agreements with other municipal corporations or political subdivisions of the state, but no such agreement shall be effective until it has been approved by the corporate authorities and by the State Coordinator of the ESDA. (Ord. 81-15 § 5, 1980).

2.50.060 Emergency action. If the Governor declares an ESDA emergency exists in the event of actual enemy attack upon the United States or the occurrence within the state of a major disaster resulting from enemy sabotage or other hostile action, or natural causes, it shall be the duty of the municipal ESDA organization to cooperate fully with the State ESDA and with the Governor in the exercise of emergency powers as provided by law. (Ord. 81-15 § 6, 1980).

2.50.070 Oath required. Every person appointed to serve in any capacity in the municipal ESDA organization shall, before entering upon his duties, subscribe to the following oath, which shall be filed with the coordinator:

I, _____, do solemnly swear (or affirm) that I will support and defend and bear true faith and allegiance to the Constitution of the United States and the constitution of the State of Illinois, and the territory, institutions, and facilities thereof, both public and private, against all enemies, foreign and domestic; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter. And I do further swear (or affirm) that I do not advocate, nor am I nor have I been a member of any political party or organization that advocates the overthrow of the Government of the United States or of the State by force or violence; and that during such time as I am affiliated with the municipal ESDA organization, I will not advocate nor become a member of any political party or organization that advocates the overthrow of the Government of the United States or of this State by force or violence. (Ord. 81-15 § 10, 1980).

2.50.080 Compensation. Members of the ESDA organization who are paid employees or officers of the municipality, if called for training by the State Coordinator of ESDA, shall

receive for the time spent in such training, the same rate of pay as is attached to the position held; members who are not such municipal employees or officers shall receive for such training time such compensation as may be established by the mayor and city council. (Ord. 8 1-15 § 7, 1980).

2.50.090 Reimbursement by state. The treasurer may receive and allocate to the appropriate fund, any reimbursement by the state to the municipality for expenses incident to training members of the ESDA organization as prescribed by the State Coordinator, compensation for services and expenses of a mobile support team while serving outside the municipality in response to a call by the State ESDA, and any other reimbursement made by the state incident to ESDA activities as provided by law. (Ord. 8 1-15 § 8, 1980).

2.50.100 Purchases and expenditures. The corporate authorities may, on recommendation of the municipal coordinator of the emergency service and disaster agency, authorize any purchase or contracts necessary to place the municipality in a position to combat effectively any disaster and to protect the public health and safety, protect property and provide emergency assistance to victims in the case of any disaster. In the event of any disaster, the local coordinator of ESDA is authorized, on behalf of the municipality, to procure such services, supplies, equipment or materials as may be necessary for such purposes, in view of the exigency, without regard to the statutory procedures or formalities normally prescribed by law pertaining to municipal contracts or obligations, as authorized by the Emergency Service and Disaster Agency Act; provided, that if the city council meets at such time he shall act subject to the directions and restrictions imposed by that body. (Ord. 81-15 § 9, 1980).

2.50.110 Appropriation — Levy of taxes. The corporate authorities may make an appropriation for ESDA purposes, and may levy therefor the tax provided by the Illinois Emergency Service and Disaster Act. (Ord. 8 1-15 § 12, 1980).

2.50.120 Office facilities. The mayor is authorized to designate space in the City Hall, or elsewhere as may be provided for the city council, for the municipal ESDA organization as its office. (Ord. 8 1-15 § 11, 1980).

2.50.130 Continuity in office. In the event that at the time or as a consequence of any disaster or occurrence described in the first section of this chapter, the incumbent of any municipal office, position or place of employment, is killed or rendered incapable of performing the duties of such office or position, such office or position shall be filled, until such time as a successor can be selected in the manner prescribed by law, in the following manner; any such vacancy shall, for the emergency period, be filled by appointment by the following in order of preference: the mayor, the remaining members of the city council, the clerk, the ESDA coordinator, the chief of police, chief of the fire department.

The person appointed in the manner prescribed herein to fill any such office or position shall exercise all the duties and powers of that position during the emergency and until

such time as a successor can be appointed or selected in the manner provided by law. (Ord. 8 1-15 § 13, 1980).

2.50.140 Emergency locations for local government — Powers and functions of officers. Whenever, due to an emergency resulting from the effects of enemy attack, it becomes imprudent, inexpedient or impossible to conduct the affairs of local government at the regular or usual place or places thereof, the corporate authorities may meet at any place within or without the city limits on the call of the presiding officer or any two members of such governing body, and shall proceed to establish and designate by ordinance, resolution or other manner, alternate or substitute site or places as the emergency temporary location or locations of government where all or any part of the public business may be transacted and conducted during the emergency situation. Such sites or places may be within or without the territorial limits of the city and may be within or without this state.

During the period when the public business is being conducted at the emergency temporary location, or locations, the governing body and other officers of the city shall have and possess and shall exercise at such location, or locations all of the executive, legislative, and judicial powers and functions conferred upon such body and officers by or under the laws of the state. Such powers and functions may be exercised in the light of the exigencies of the emergency situation without regard to or compliance with time consuming procedures and formalities prescribed by law and pertaining thereto, and all acts of such body and officers shall be valid and binding as if performed within the territorial limits of their city. (Ord. 81-15 § 14, 1980).